

HURRELL CANTRALL LLP  
800 WEST 6TH STREET, SUITE 700  
LOS ANGELES, CA 90017-2710  
TELEPHONE (213) 426-2000

1 Thomas C. Hurrell, State Bar No. 119876  
E-Mail: [thurrell@hurrellcantrall.com](mailto:thurrell@hurrellcantrall.com)  
2 Janet J. Hur, State Bar No. 330358  
E-Mail: [jhur@hurrellcantrall.com](mailto:jhur@hurrellcantrall.com)  
3 Jerad J. Miller, State Bar No. 334001  
E-Mail: [jjmiller@hurrellcantrall.com](mailto:jjmiller@hurrellcantrall.com)  
4 HURRELL CANTRALL LLP  
800 West 6th Street, Suite 700  
5 Los Angeles, California 90017  
Telephone: (213) 426-2000  
6 Facsimile: (213) 426-2020

7 Attorneys for Defendants, COUNTY OF LOS ANGELES, MARISOL BARAJAS  
and HECTOR VAZQUEZ  
8  
9

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 JENNIE QUAN, individually and as  
13 successor in interest to BENJAMIN  
14 CHIN, deceased,

15 Plaintiff,

16 v.

17 COUNTY OF LOS ANGELES;  
18 MARISOL BARAJAS; HECTOR  
19 VAZQUEZ; and DOES 3-10, inclusive,  
20 Defendants.

Case No. 2:24-cv-04805-MCS(KSx)

**DEFENDANT MARISOL  
BARAJAS' DECLARATION IN  
SUPPORT OF DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT, OR PARTIAL  
SUMMARY JUDGMENT**

[Assigned to Hon. Mark C. Scarsi,  
Courtroom "7C"]

21 **DECLARATION OF MARISOL BARAJAS**

22 1. I am a Defendant in the above-entitled action.

23 2. I have personal knowledge of the facts set forth herein, and if called upon  
24 as a witness to testify thereto, I could competently and truthfully do so.

25 3. I make this declaration in support of Defendants' Motion for Summary  
26 Judgment, or Partial Summary Judgment.

27 4. I am a deputy for the Los Angeles County Sheriff's Department, Walnut  
28 Sheriff's Station. I held this same position on the incident date of June 19, 2023.

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1           5.       On June 19, 2023, I was on-duty in Diamond Bar, CA, when I received  
2 a dispatch call concerning a man carrying an AR-15-style weapon on Diamond Bar  
3 Blvd. and wearing a bullet-proof vest. Dispatch further reported that the suspect had  
4 fired multiple rounds from his rifle. I responded Code-3 to the location. The suspect  
5 was later determined to be Decedent Benjamin Chin.

6           6.       While driving to the Decedent's location, I received an update from  
7 dispatch stating that there was a stabbing victim. This individual was later determined  
8 to be Plaintiff Jennie Quan, the Decedent's mother.

9           7.       I turned southbound on Diamond Bar Blvd. and saw the suspect  
10 approximately 15 – 20 feet north of my patrol vehicle. I observed the suspect with an  
11 AR-15 rifle and a bullet-proof vest, indicating to me that the Decedent was a lethal  
12 threat who anticipated a violent conflict. The Decedent walked northbound with his  
13 rifle slung around his shoulder on his right side on Diamond Bar Boulevard towards  
14 deputy vehicles, including mine, and a civilian Tesla. I observed a civilian inside the  
15 Tesla as the Decedent walked northbound.

16           8.       I planned to further the distance between my vehicle and the Decedent  
17 as he continued walking forward, but civilian and deputy vehicles to my left and  
18 behind me, respectively, prevented this option.

19           9.       Believing that the Decedent posed a lethal threat to civilians, deputies  
20 and myself as he continued walking northbound, I exited my vehicle and drew my  
21 service handgun. I used the driver-side door as cover and used my radio to alert other  
22 deputies that I was detaining an armed suspect at gunpoint.

23           10.      I commanded the Decedent seven (7) times to drop his weapon. The  
24 commands were ineffective and the Decedent continued moving northbound on  
25 Diamond Bar Boulevard, progressing within approximately 7-10 feet of the civilian  
26 Tesla and my vehicle.

27           11.      I did not attempt to use less-lethal ammunition against the Decedent  
28 because he posed an imminent threat of death or substantial bodily harm to myself,

1 other deputies, and civilians. Moreover, I believed that less-lethal ammunition would  
2 be ineffective due to the Decedent's bullet-proof vest.

3 12. I then fired one shot from my service weapon at the Decedent and gave  
4 him additional commands to put his weapon down. The shot appeared to have no  
5 effect on the Decedent, and his bullet-proof vest prevented me from determining  
6 whether he was injured. I then ordered him to drop his weapon an eighth (8) time.

7 13. I ordered the Decedent to drop his weapon a ninth (9) time and began  
8 ordering him to drop it a tenth (10) time, but my order was interrupted by Detective  
9 Hector Vazquez firing a shotgun round at the Decedent.

10 14. I reassessed the danger of the situation and determined that the Decedent  
11 was still an imminent dangerous threat because he continued advancing with his rifle  
12 slung around his shoulder. The bullet-proof vest continued to prevent me from  
13 determining the extent of any injuries the Decedent suffered.

14 15. I then recall firing two-to-three (2-3) additional shots at the Decedent  
15 from my handgun. In total, I recall firing three-to-four (3-4) shots at the Decedent.

16 16. After firing my last shot, Detective Vazquez, who was approaching the  
17 Decedent from the rear, fired his second shot at the Decedent with his shotgun. The  
18 Decedent fell to the ground after Detective Vazquez's second shot.

19 17. While on the ground, the Decedent's AR-15 was within reaching  
20 distance of the Decedent's arms. Fearing that he was capable of grabbing his rifle and  
21 shooting at deputies and civilians in the vicinity, I instructed the Decedent not to reach  
22 for his rifle.

23 18. With the AR-15 still within the Decedent's reach, a plan was developed  
24 to safely and securely approach the Decedent so that medical care could be rendered.  
25 The Decedent's bullet-proof vest prevented me from determining the extent of the  
26 Decedent's injuries.

27 19. Deputy German Perez equipped a shield and we approached the  
28 Decedent to render aid and conduct a search. I searched the Decedent for additional

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1 weapons and removed a folding knife and extra magazines from his right-leg pocket.

2 20. Medical care was provided to the Decedent at the scene by deputies and  
3 members of the fire department until the Decedent was taken to an ambulance.

4 21. Attached hereto as **Exhibit A** is a true and correct copy of my body-worn  
5 video which accurately captured the underlying incident that is the subject of this  
6 action. The body-worn video accurately reflects what transpired during the subject  
7 incident and after a full and thorough review of the body-worn video, I do not believe  
8 there are any inaccuracies contained therein.

9 22. Attached hereto as **Exhibit B** is a true and correct copy of part one of my  
10 audio interview with the Los Angeles County Sheriff's Department, Homicide  
11 Bureau, given after the incident on July 7, 2023. The audio interview accurately  
12 reflects my statements given to the Homicide Bureau pertaining to the underlying  
13 incident that is the subject of this action. I do not believe there are any inaccuracies  
14 contained therein.

15 23. Attached hereto as **Exhibit C** is a true and correct copy of part two of  
16 my audio interview with the Los Angeles County Sheriff's Department, Homicide  
17 Bureau, given after the incident on July 7, 2023. The audio interview accurately  
18 reflects my statements given to the Homicide Bureau pertaining to the underlying  
19 incident that is the subject of this action. I do not believe there are any inaccuracies  
20 contained therein.

21 I declare under penalty of perjury under the laws of the State of California that  
22 the foregoing is true and correct.

23 Executed on September 29, 2025, at Los Angeles, California.

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Ex. A – MANUALLY FILED  
COLA 00285 (VIDEO)

**Ex. B – MANUALLY FILED  
COLA 00755 (AUDIO FILE)**

Ex. C – MANUALLY FILED  
COLA 00756 (AUDIO FILE)